MEMORIAL

To the QUEEN, By the Duke of *ATHOLE*.

Giving an Account of the Discovery of Captain SIMON FRASER, *and his Accomplices. Which was Read to Her MAJESTIE in the SCOTS Council at St.* James's *the* 18*th of* January 1704.

I Having come to this place, about the Middle of *October* last, by your Majesties particular Commands. I soon after heard Surmises, that were industriously spread, as if several of your Majesties good Subjects in *Scotland*; and even, that some of your Majesties Servants were upon ill designs against your Majesty and Government; But I not being acquainted with any such designs; did beg of your Majesty, that you will be pleased to Call your Servants together, That they might condescend or name the Persons, that were Guilty or Suspected; And also, that we might togerher, give your Majestie an Account of the Proceedings of the last Parliament.

2. Your Majestie was Graciously pleased to say, That ye would Call us together for these Ends, but this was delayed. In the mean time, on the 25th of *October* last, it pleased GOD in his Providence, that there was a Discovery made to me, That one Captain *Simon Fraser*, who is a declared Rebel, Intercomuned, and Outlawed in your Majesties Kingdom of *Scotland*, for a most Barbarous Rapt, and other Crimes had been in this place, about a Fourthnight before, and that he had come from St *Germains* in *May* or *June*, and after having staved sometime at *London*, was gone to *Scotland*, and there had met with the Duke of *Queensberry* at *Edinburgh*, in the time of the Sitting of the Parliament And having got from the said D. of Q. then Her Majesties Commissioner, a Protection and Pass, he with them Travels into several places in *Scotland*, particularly into *Argile share*, where he produced the said Pass and Protection: As also a Commission Signed by K. J. as he called him, and

in this manner he Seduced and Trapanned several of Her Majesties Subjects. After this, about the end of *September* last, he retured to *London*, where he again met with the D. of Q. who procured a Pass to the said *Fraser*, and three of his Accomplices, from the E. of *Nottingham* under false Names: Which Pass being thus procured, was given or sent by the D. of Q. to the said *Frazer*, who with it went to *Holland*, on his way to St. *Germains*, in order to give an Account of the Negotiations in *Britain*. Mr. *Robert Ferguson* was the first that informed me of Capt. *Frazers* having been at *London*; and which he did by a Gentleman he sent to me, for I have not spoke to him, since I examined him in Person, by order of the late King *William*, when I was Secretary of State 7 years ago.

He acquainted me, That Capt. *Fraser* was not only gone to St. *Germains* with ill designs against your Majestie; But also, that the D. of Q. did intend by him and his Accomplices, to ruine me and several Persons of Quality in *Scotland*, by taking away our Reputations, Lives and Fortunes.

This Information being brought thus to me, on the 25 of *November* last; The next day I met with the E. of *Nottingham*, and desired to know of his Lordship, if he had given a Pass on the 12 or 13 of the said Month to 4 Persons, under the Names of Capt. *Smeaton*, or *Campbell*, *Moure*, *Dickson*, *Forbes*, his Lordship believed he had, but could not be positive till he had looked his Books, which he did, and acquainted me the next morning, being the 27, That he had given a Pass to Persons of these Names; I asked his Lordship if he knew who they were, and who recomended them to him, he told me he did not know them; But that the D. of Q. had wrote a Note to him, to desire a Pass for those 4 Persons.

The same morning I waited on your Majesty, and did acquaint you with the Informations I have got, and left with your Majestie a Copy of the Signed Names, contained in the Pass procured by the D. of Q. and in another Paper the true Names, according to my Information. At the same time, I told your Majesty, That if the D. of Q. should deny the knowledge of the true Names of the Persons he procured the Pass for, the

I was assured, it would he proven, he did not know the Pass was really for Capt *Frazer* and others, that had been at St. *Germains*, and that they were returning thither.

There having passed 3 or4 days, before *I* knew what answer the D. of Q. made; at last, *I* did understand, that he pretended some times he had forgot, and at other times he had given the Pass to one Servant of his, who could give no Account of the matter. Upon these *I* first acquainted your Majesty, and then told the Earl of *Nottingham*, That *I* was informed the D. of Q. had deliverd the Pass to *Collin Campbell* of *Glendule* an Officer of your Majesties Army in *Scotland*, and then he delivered it to one *Thomas Clark* Apothecary in *Watling Street*, who did follow the said Capt, *Frazer* to *Graves inn*, and delivered it to him there, and that, with this *Thomas Clark*, the said Capt. *Frazer* did lodge, when he was at *London*.

Your Majestie was pleased to order the Earl of *Nottingham* to send for the foresaid *Clark* and examine him about that: Accordingly on the 2d, of *December*, *Tho, Clark*, declared before the Earl of *Nottingham*, That a *Scots* Gentleman, who called himself a Captain, having lodged in his House about a Forthnight, whose Name he pretended not to know, did leave his House on the 13 of *November*, that the said day an other Gentleman, whom he described to be the foresaid *Collin Campbell*, brought him an pass for the said Capt. *Frazer*, and three more, which pass was signed by the E. of *Nottingham*:

The Earl of *Nottingham* sent for *Collin Campbell*, who not appearing for 2 or 3 days, at last attended his Lordship, and acknowleged the delivery of the said Pass to *Thomas Clark*, and owned he had received it from the D: of Q

November 30: *I* acquanited the E. of *Nottingham*, That I was informed how that the Accomplices of Capt. *Frazer*, were to direct their Letters from hence to him beyond Sea, To wit, to Mr, *Vincent Menzies* Merchant in *Rotterdam*, under whose covert, the Letters directed to Mr, *Smeaton*, was understood to be the foresaid Capt, *Frazer*, *I* also told the E. of *Nottingham*, That Capt. *Frazer* did direct his Letters to his Co-

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respondent here under covert to the foresaid *Clark at Watling Street*.

Upon this discovery, several Pacquets of Letters were intercepted by the Earl of *Nottingham*, which discovered Capt. *Frasers* Correspondence, particularly the foresaid *Collin Campbell*, Mr. *Keith*, *John Murray* and Capt. *Macleod*, an Officer of your Majesties Guards in *Scotland*. And appeared, that one *Carbowsuer* Merchant in *London*, had given a Bill to the said Capt. *Fraser*, which my Informor had also acquainted me of; and that the Bill was for 150 Guineas. And by these Letters it was likewayes discovered, that Capt. *Fraser* had writen to the D. of Q. under a covert to the said *Collin Campbell*, which Letters was delivered by him to the D. of Q. who yet did not produce it, for above a Fourthnight after he had got it, and there was likewayes a Letter Intercepted from Capt. *Fraser* to the Earl of *Levin*.

Monday, December 6th. being 2 days after this Affair came Abroad. Mr. *Keith*, on which if he had not done, before that he had seen the said Capt. *Fraser* in Town, and that he had met with him two times and no more, and that the first time he had seen him, was in a Letter, to meet him at a place Capt. *Fraser* had appointed, whereat, the said Capt. *Fraser* desired him to try, if I would Pardon the injury he had done my Family, he being penitent as he pretended, I inquired of Mr. *Keith*, why he did not acquaint me of it sooner, he answered, that it would be of no purpose for him to undertake such a message from Capt. *Fraser*, and that he did believe, that Capt. *Frasers* design was to try me; But before Mr. *Keith* had confessed any informor declared, which I acquainted your Majestie with, that Mr. *Keith* had been with him several times. The same day Mr. *Keith* acquainted the E. of *Seafield* your Majesties Chancellor with what he had told me, as he did the day after the E. of *Nottingham*.

By the means of *Collin Campbell*, Mr. *Clark* were few and several Papers belonging to the said Capt. *Fraser* and left by him, before he went out of the City with the foresaid Pass to *France*, amongst which Papers, there is a Commission for his being a Collonel, Signed by the pretended J. R. and as I am informed, two bundles of the late Lord *Lovats*, the

ſame I ſuppoſe, that appeared to be forged when produced in *Scotland*

By the Declarations of *Collin Campbell* and Sir *John Maclean* and others and by Capt. *Fraſers* Letters it appears, That beſides the deſign of an Invaſion, there was an other moſt wicked Contrivance, to bring in ſeveral of your *Majeſties* Subjects and Servants into a Plot, in order to ruine them and their Families.

1ſtly. Wherefore it is humblie begged, your *Majeſty* will be pleaſed to order the Duke of *Q.* to give his reaſones why he met with and Imployed, and gave 200. Guines to the ſaid Capt. *Frazer* in *Scotland* with whom, as being an Intercomuned Rebel; it is Treaſon by the Law in that Kingdom to converſe or have any thing to do with ſuch.

2dly. And how the D. of *Q.* came to get an Paſs or Protection to an Rebel who had come from *France* to go to the *Highlands* of *Scotland* whoſe Buſines there, as appears by the Commiſſion and Inſtructiones he had from the pretended *K. Ja.* was to tempt your *Majeſty*'s Subjects into an Rebllion.

3dly. I Likewayes Beg your *Majeſty*, to order the D. of *Q.* to declar for what purpoſe he ſent the ſaid Capt. *Frazer*, and 3 Perſons with him ſo Carefully to *France*, and what were the ſervices he Expected your *Majeſty* would reap by their going thither; ſince, it appears by the Letters and Declarationes, that Capt. *Frazers* Maine Deſigne was to ingadge the *French King* to Proſecute his deſigne and Invaſion.

The above MEMORIAL, was Read by the Duke of *Athole* to the Queen in Conncel at St. *James*, *January* 18. 1704. and no part thereof was Diſowned or Contraverted *Sic Subſcribitur*.

ATHOLE

Since writing of this, I am informed from *Scotland*, That the D. of *Q.* gave an Free paſs to Capt. *Frazer*, to carry him. through *England* from *Scotland* to *London*, ſtrictly Diſchargeing all her Majeſty Officers to diſturb or moleſt him; Notwithſtanding it appears by the Journalls of the Council of *Scotland* of the 21 of *Septemer* laſt, the D. of

Q then her Majesty's Commissioner being present, that there was Commissiou of Fire and Sword greanted by the Council against Capt. *Frazer*, which Commission declares, that the said Capt. *Frazer* was formerly denownced Rebel and inntercomuned: And therefore did expressly require and Command, severall Shirffes and Officers of her Majesty's Forces therein mentioned, to search for, Apprehend, Imprison, and pursue to Justice the said Capt. *Simon Frazer*, and such as should associat themselves to him as Rebels.

I find it necessary for my own Vindication, and self defence to give the following new Commensments some Declaration, & Letters which I understand are to be made publick here I see by papers, Letters, and the said Declarationes, And what an Lord hath publicklie said, there has been a designe of, arrainging me several others of Corresponding with St *Germains*.

First the Declarations that mention me are by *Collin Campbel* of *Glendarule* and on Capt. *Macleod* in *Scotland*; both I have discovered as appears in the above Written Narrative, of having Correspondence with Capt. *Simon Frazer*. And likeways, that they were imployed by the *D.* of Q. in privat Assaires with him.

2dly. What the presons alleage, is only founded upon hear say from the said Capt. *Frazer*.

3dly VVhat they declare is, That the said Capt. *Frazer* told them I designed to send on *Glengary* and on Capt. *James Murry* to St. *Germaines*: But *Collin Campbell*, ownes that the famen was tale and null as to *Glengary*. For indeed nothing can be more sate since I do declare I never spoke to him of anie such meslage or ever desigened to send him or anie other person, to Capt. *James Murray*; whom they say I designed to send. I do not Remember ever I spoke to him, I am sure I had not since he came from *France* As for that *Mackenzie* mentioned to be at St. *Germains* I never know, there was any of that Name I hear, untill I was declared by Capt. *Macleod*, and now that he is mentioned, I do not Remember, that ever *I* spoke, or saw such a Man.

And

And for the other *Mackenzie*, that Capt. *Frazer* mentions, in his Letters, went over in the ship with, him I never either heard or saw him, till now, that he was sent for back again, from *Holland* to be Examined.

I am mentioned likeways, as is also, the D. of *Hamilton*, by Sir *John Maclean*, who it seems, was the last that came over from St. *Germains* and says his whole instructions were to sound or try the D. of *Hamilton* or me: But this is rather a Vindication, and shew some we were to be sounded, we were not ingadged, or had Correspondence there; Sir *John Maclean*, I do not remember to have seed, bnt once about Eleven Years ago.

By what is above said, the World may judge, of the rest of the Malicious Calumnies of my Enemies,

This last is Dated and Signed at St James's Street *London* 1704.

EDINBURGH

Re-printed by G. J. in the Year 1704.

FINIS.